

**IN THE HOUSE OF REPRESENTATIVES**

JUNE 14, 1890.

Read twice, referred to the Select Committee on the Election of President, Vice-President, and Representatives in Congress, and ordered to be printed.

Mr. LODGE introduced the following bill :

**A BILL**

To amend and supplement the election laws of the United States and to provide for the more efficient enforcement of such laws, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the chief supervisors of elections now in office, their suc-  
4       cessors, and such chief supervisors of elections as may here-  
5       after be appointed under any law of the United States are  
6       charged in their respective judicial districts, and in such Con-  
7       gressional districts the majority of the counties of which are  
8       within their judicial districts, in Congressional districts where  
9       the counties are equally divided in number between two judi-  
10      cial districts, or where they are within more than two judicial  
11      districts that chief supervisor of elections shall be charged with  
12      duty hereunder in whose judicial district there shall be situated  
13      the counties which by the last national census contained the  
14      greatest number of inhabitants, both in person and by and

15 through the supervisors of election who may from time to  
 16 time be appointed, with the supervision of elections at which  
 17 Representatives or Delegates in Congress are voted for, with  
 18 the enforcement of the national election laws, and with the  
 19 prevention of frauds and irregularities in naturalization.

20 The words "judicial district" where hereinafter used in  
 21 this act or where found in any law of the United States re-  
 22 lating to elections in connection with the duties, rights and  
 2 powers of chief supervisors of election shall be understood to  
 24 refer to and to run throughout the jurisdiction in this section  
 25 conferred.

1 SEC. 2. Any registration of voters held prior to or for  
 2 any election, general or special, at which a Representative or  
 3 Delegate in Congress is to be voted for, and any such election,  
 4 shall be guarded, scrutinized, and supervised in the following  
 5 mentioned and in the manner herein set forth:

6 First. In any city or town having twenty thousand in-  
 7 habitants or upward, whether such city or town contains  
 8 within its boundaries one or more Congressional districts or is  
 9 only a part of one or more Congressional districts.

10 Second. In any one or more counties or parishes in any  
 11 Congressional district and forming a part only of a Congress-  
 12 ional district;

13 Third. In any entire Congressional district no part of  
 14 which is within any city or town of twenty thousand inhab-

15 itants and upward, whenever the chief supervisor of elections  
 16 for the judicial district in which either of the three  
 17 above mentioned places is situated shall have received  
 18 from the first and third of such mentioned places  
 19 an application or applications from one hundred persons claim-  
 20 ing to be citizens of the United States and residents and qual-  
 21 fied voters in the city or town or in the Congressional district  
 22 above mentioned, or whenever he shall receive from the sec-  
 23 ond of such above described places an application or applica-  
 24 tions from fifty persons claiming to be citizens of the United  
 25 States, and residents and qualified voters in one or more of  
 26 such counties or parishes, petitioning that he will take such  
 27 action as is requisite to secure such supervision therein as is  
 28 provided by the laws of the United States. Every person  
 29 applying for such supervision shall subscribe the same and  
 30 state his place of residence.

1 SEC. 3. Every registration—preliminary or final—every  
 2 revision of registration, every antecedent or subsequent act  
 3 or thing incident to or connected with any system of registration  
 4 of votes, and every plan, mode, or method of ascertaining  
 5 who are legal voters which may be required under any State,  
 6 Territorial, or local law or ordinance prior to the casting of  
 7 ballots by electors who may desire to vote at any general  
 8 or special election at which a Representative or Delegate in  
 9 Congress is to be voted for, and every such election shall here-

9 held, or at which a special election is ordered to fill a vacancy,  
10 apply over his own signature on such blank form as the chief  
11 supervisor may prescribe to be appointed a supervisor of elec-  
12 tion.

13 Whoever shall, in any such application, make any false  
14 or fraudulent statement, or shall sign thereto, or to any peti-  
15 tion provided for in section two of this act, any false, fictitious,  
16 assumed, or forged name, shall be ineligible for appointment  
17 as a supervisor, liable to arrest, and, upon conviction, shall be  
18 punished by a fine of not more than three hundred dollars, or  
19 by imprisonment in a county jail for not more than six months,  
20 or by both such fine and imprisonment.

1 SEC. 5. Supervisors of election shall be appointed in the  
2 following manner, namely:

3 The chief supervisor of elections in any judicial district  
4 who has received any petition provided for in section two of  
5 this act shall thereafter, from time to time, prepare, present,  
6 and certify to such circuit court lists of persons whom he shall  
7 believe to be eligible for appointment as supervisors of elec-  
8 tion in the place or places for which petitions for supervision  
9 have been received; in preparing such lists the chief super-  
10 visor shall not be confined to the applications he may have  
11 received, and lists may be presented for each place from  
12 which a petition for the supervision of the registration or the  
13 election shall have been received, until the court shall

14 have appointed such number as the chief supervisor shall believe  
15 to be sufficient to enable him to properly provide for the filling  
16 of all election districts or voting precincts within his jurisdiction  
17 and the filling of all vacancies which may from any cause be  
18 created or arise, which number shall not, however, be less  
19 than double the whole number of supervisors which each  
20 such city or town, county or parish, or entire Congressional  
21 district is entitled to the services of. From the appointments  
22 so made the chief supervisor shall, from time to time, select  
23 for duty, and shall designate and assign for each election dis-  
24 trict or voting precinct in any such city or town, county or  
25 parish, or entire Congressional district as they shall have been  
26 appointed for, three persons, but two of whom shall be of  
27 the same political party; from the three persons so assigned  
28 but two of them, who shall be of different political faith,  
29 shall be required to perform and discharge any duty  
30 prior to the day of election. The appointment of any super-  
31 visor of election may be at any time revoked or renewed  
32 by the circuit court, and every list of eligible persons pre-  
33 sented to such court for appointment as supervisors of  
34 election shall, after action thereon by the court, be filed in  
35 the office of the chief supervisor of elections, who shall cause  
36 the same to be fully entered of record therein in index and tab-  
37 ular form for future reference.

1 SEC. 6. The chief supervisor of elections in each ju-



2 dicial district shall cause each person appointed a supervisor  
 3 of election and duly assigned to duty to be notified by mail  
 4 at his place of business or residence of his appointment and  
 5 assignment; and thereupon it shall be the duty of every  
 6 such person to appear at the time and place designated in  
 7 such notice for the purpose of qualifying. All resignations of  
 8 supervisors of election must be made in writing and addressed  
 9 to the chief supervisor, and no resignation shall relieve or  
 10 excuse any supervisor of election from service until the chief  
 11 supervisor shall have notified him that his resignation will be  
 12 recommended to the circuit court for acceptance, and that he  
 13 is excused from further duty. The chief supervisor of elec-  
 14 tions may at any time transfer any supervisor from service in  
 15 one election district to another in the same city or town,  
 16 in the same county or parish, or in the same Congressional dis-  
 17 trict, and upon any day other than a day of registration, re-  
 18 vision of registration, or of election may transfer any super-  
 19 visor to any other duty authorized by the laws of the United  
 20 States; he may relieve and suspend from duty any supervisor  
 21 of election who shall fail, neglect, or refuse to perform or dis-  
 22 charge his duties, or who shall be found incompetent, or to have  
 23 made any false or fraudulent statement to secure his appointment,  
 24 or whose habits shall be deemed prejudicial to a faithful and  
 25 correct performance of his duties, or whose integrity he shall  
 26 have reason to doubt, and may detail and assign to the place

27 of any such suspended supervisor, or of any supervisor whose  
 28 written resignation he shall have received and recommended  
 29 the acceptance of, another unassigned appointee of the court,  
 30 of the same political faith, to fill the vacancy so caused; super-  
 31 visors who have been suspended from duty shall be  
 32 reported to the court for removal from office. The chief  
 33 supervisor of elections shall issue to each person appointed a  
 34 supervisor of election and duly assigned to duty, and who shall  
 35 have qualified, a certificate under his hand and seal, setting  
 36 forth his appointment and the election district or other place  
 37 to which he has been assigned. He shall also designate one  
 38 of the two supervisors of election assigned to duty in any  
 39 election district to serve and act as chairman of the super-  
 40 visors, and one of the other supervisors to act as chairman  
 41 during the absence from any cause of the chairman, and may  
 42 revoke any such designations and make others.

1 SEC. 7. The supervisors of election duly appointed and  
 2 assigned to duty are hereby declared to be election officers of  
 3 the United States, but only such supervisors of election shall  
 4 be entitled to compensation as shall, under the detail or assign-  
 5 ment of the chief supervisor of elections, actually do duty, and  
 6 the term of office of every supervisor of elections, unless sooner  
 7 terminated by removal or resignation as in this act provided,  
 8 shall run for and during the period of two months from and  
 9 after the day of election.

1        SEC. 8. The supervisors of election appointed under this  
 2 act who shall have duly qualified and been assigned to duty  
 3 are, and each of them is, subject to the instructions, directions,  
 4 and detail of the chief supervisor of elections, charged with  
 5 the enforcement of the election laws of the United States in  
 6 that portion of the State or Territory in which is situated the  
 7 election district, voting precinct, or other place where their or  
 8 his duty is to be performed under such instructions and detail;  
 9 they are, and each of them is, authorized and required, subject  
 10 to the same instructions, directions, and detail, to perform and  
 11 discharge at any election, general or special, at which a Repre-  
 12 sentative or Delegate in Congress is to be voted for, all the  
 13 duties now imposed by law upon such officers in cities or  
 14 towns having twenty thousand inhabitants and upward, save  
 15 where such duties are specifically limited herein to cities or  
 16 towns containing a certain population, and shall also perform  
 17 and discharge the following duties:

18        First. To attend at all times and places fixed for the  
 19 registration of voters and at all times and places fixed for any  
 20 revision of any such registration or for the adding of any name  
 21 or names to any registration book, list, or roll, or for the striking  
 22 off or dropping from any such book, list, or roll of the name of  
 23 any registered person, or for the hearing, passing upon, or decid-  
 24 ing of any question as to the right of any person to be regis-  
 25 tered, to remain upon the registry, or to have his name changed

26 from one registry book, list, or roll to another, whether in the  
 27 same city, town, county, Congressional district, or other place  
 28 in the State or Territory.

29        Second. To challenge the right to register of any per-  
 30 son offering himself for registration; also the right of any per-  
 31 son found upon any registry book, list, or roll to be or remain  
 32 thereon, and to require of any officer in charge, or who has  
 33 the custody of any such registry book or list, to mark the  
 34 name of any person found thereon for challenge.

35        Third. To personally inspect, examine, and scrutinize,  
 36 at any time, when so directed by the chief supervisor of  
 37 elections, the original books, rolls, or lists of any registration  
 38 system which does not require, prior to each election, the per-  
 39 sonal appearance of all the electors, for the purpose of being  
 40 registered, and all other or subsequent books, rolls, lists, ap-  
 41 plications, appeals, decisions, or other papers of any kind or  
 42 character connected with the making of the original registra-  
 43 tion books, rolls, or lists, with the addition thereto or with  
 44 the dropping or striking therefrom of any name or names;  
 45 and to make a full, complete, and perfect copy of said book  
 46 or books, roll or rolls, list or lists and of all papers which  
 47 in any manner relate to or affect the registry of any person  
 48 to be or not to be upon the registration books, rolls, or lists.

49        Fourth. To attend at all times and places where the  
 50 electors are required to personally register prior to or for any

51 such election, and to make and keep as full and complete a  
 52 return of the registration of those persons who may apply for  
 53 registration, or who may be registered, as is required of State,  
 54 Territorial, or local election officers serving in the same elec-  
 55 tion districts, and to attend at all times and places for holding  
 56 elections of Representatives or Delegates in Congress, and  
 57 for counting all ballots cast at any such election.

58 Fifth. To personally inspect and scrutinize the manner  
 59 in which all registry books, check-lists, poll-lists, tallies, re-  
 60 turns, voting lists, and each and every paper connected with  
 61 the registration or voting is being conducted, and where, in  
 62 their or his opinion, it is necessary for purposes of identifica-  
 63 tion, or where directed by the chief supervisor of elections, to  
 64 affix his signature to each and every page of the original  
 65 registration book, roll, or list, and to each and every copy of  
 66 the said original book, roll, or list made for use, or kept or used,  
 67 in his election district by any State, Territorial, or local elec-  
 68 tion officer or officers, at such times upon each day when any  
 69 name may or shall be received, entered, or registered, or may  
 70 be stricken or dropped from any such original book, roll, or list  
 71 or any copy thereof, and in such manner as will, in his judg-  
 72 ment, detect and expose the improper or wrongful removal there-  
 73 from or addition thereto in any manner of any name or names.

74 Sixth. To verify, in cities or towns having five thousand  
 75 inhabitants or upward, by proper inquiry and examination at

76 the respective places assigned by or to those registered as  
 77 their residences all such names placed or found upon the  
 78 registration books, rolls, or lists as the chief supervisor of  
 79 elections shall require to be so verified, and to make full re-  
 80 port thereof to such chief supervisor.

81 Seventh. To require the statutory oath or oaths to be  
 82 immediately put to any voter whose right to vote shall be  
 83 challenged, and in case the State, Territorial, or local election  
 84 officers shall neglect or refuse to immediately put such oath  
 85 or oaths, to make the statutory examination, and to at once  
 86 pass upon the qualifications of any such challenged person,  
 87 then it shall be the duty of the chairman of the supervisors,  
 88 or in his absence the duty of either of his associates who  
 89 may be present, to, without delay, put such oath or oaths  
 90 and conduct such examination, whereupon the supervisors  
 91 of election present shall promptly pass upon the qualifica-  
 92 tions of such person. If the State, Territorial, or local  
 93 election officers shall have acted as provided herein and de-  
 94 cided the challenged person to be a qualified voter, or if act-  
 95 ing hereunder the supervisors of election shall have so  
 96 decided, then and in that event it shall be the duty of the  
 97 State, Territorial, or local election officers who shall have so  
 98 decided, or if they did not act hereunder and the supervisors  
 99 of election did, then it shall be the duty of the supervisors  
 100 of election who did so act and so decide to receive the vote



101 of such challenged person and to deposit it in the ballot-box  
 102 provided for votes cast for a Representative or Delegate in  
 103 Congress. It shall be the duty of every State, Territorial,  
 104 or local election officer and of every supervisor of election  
 105 to make and keep in his record or return of the registration  
 106 in the back of the poll book or list or in some other book, a  
 107 record of all challenged persons, of all oaths put, by whom  
 108 the same were administered, by whom the person offering  
 109 to vote was challenged, of all questions propounded and  
 110 answers given under the challenge, of all action taken in  
 111 respect to such challenged persons, of all neglect or refusal  
 112 on the part of any election officer, either national, State,  
 113 Territorial, or local to act in the matter, and of the name  
 114 and official designation of such election officer or officers.

115 Eighth. To personally examine and inspect, on the  
 116 morning of the day of any election at which a Representa-  
 117 tive or Delegate in Congress is to be voted for, and before  
 118 any ballot shall be deposited by any officer or elector in any  
 119 box intended to receive any ballots for any office whatsoever,  
 120 the interior of each and every box, whatever ballots it may  
 121 be intended to deposit therein, for the purpose of ascertain-  
 122 ing that at that time there are no ballots for any candidate  
 123 for such office of Representative or Delegate in Congress  
 124 therein.

125 Ninth. To make and keep, on the day of election, a

126 poll-list of all persons voting at such election. Such poll-list,  
 127 if there be a registration, shall be kept by such one or more  
 128 of the supervisors as shall be designated by the chief super-  
 129 visor in the book containing the supervisor's return of the  
 130 registration, which book shall, on the right-hand page, have  
 131 a sufficient number of columns ruled to allow of the use of  
 132 one column for each separate kind of ballot to be voted,  
 133 such as State, county, Congressional, and so forth; and  
 134 against the name of each voter in each column of the poll-  
 135 list corresponding with the kind of ballot cast by each voter  
 136 the supervisor shall write a check or mark similar to the let-  
 137 ter V, and in each column corresponding with the kind of  
 138 ballot which any voter fails to cast shall be written the word  
 139 "No." If there be no registration the supervisors of elec-  
 140 tion, or that one or more of them who shall be designated  
 141 by the chief supervisor of election, shall keep a poll-list, in  
 142 which he shall enter the name and residence of the person  
 143 voting, his number in the order of his voting, and, in the  
 144 columns similarly prepared to the poll-list just above refer-  
 145 red to, similar entries to those there described; to also make  
 146 and keep in said poll-books a separate list of rejected voters,  
 147 in which shall be entered the name and residence of each  
 148 person whose vote shall be rejected by the State, Territorial,  
 149 or local election officers, the reasons given for each such re-  
 150 jection, and all such ballots so refused, if tendered to the su-

151 supervisors of election, shall be received by them; the name of  
 152 the person tendering the same shall be written on the back  
 153 thereof, and all such ballots so received shall be placed in a  
 154 suitable envelope prepared for that purpose.

155 Tenth. To make, certify, and forward, as in this act  
 156 provided, all such statements, certificates, and returns of  
 157 the canvass of the votes cast in his election district or  
 158 voting precinct as are specially provided for herein and such  
 159 others as the chief supervisor of elections shall in accord-  
 160 ance with law direct and require.

161 Eleventh. To make, in any city or town having twenty  
 162 thousand inhabitants or upward, at any time between the  
 163 Tuesday five weeks preceding the day of any election at  
 164 which a Representative or Delegate in Congress is to be  
 165 voted for and the day of election, a thorough and effective  
 166 house-to-house canvass of the whole or any portion of any  
 167 election district or voting precinct which they shall be di-  
 168 rected by the chief supervisor of elections to visit and can-  
 169 vass; to ascertain by inquiry at any dwelling, building, or  
 170 other place of abode in any such election district or voting  
 171 precinct which they may be required to so canvass the  
 172 name, age, nativity, term of residence in country, State,  
 173 city, county, parish, district, or precinct, and other qualifica-  
 174 tions as a voter of every male person therein residing; to  
 175 make full report, in writing, to the chief supervisor of elec-

176 tions of all answers and information obtained by them in re-  
 177 sponse to their inquiries so made, and upon the completion  
 178 of their work to file their reports with said chief supervisor.

179 Twelfth. To make, in any city or town having twenty  
 180 thousand inhabitants or upward, when required by the chief  
 181 supervisor, a list of all such persons as shall be naturalized  
 182 in any court therein, the date of their naturalization, whether  
 183 as a minor or otherwise, with the residence of such persons,  
 184 their place of nativity, and the name and residence of their  
 185 witness, and, for such purpose, shall have at all times access  
 186 to and the right to examine the original affidavits or applica-  
 187 tions presented or which have been presented to said courts  
 188 and there filed. Such lists so made shall be filed in the office  
 189 of the chief supervisor.

190 Thirteenth. To inform all voters who may inquire of  
 191 them in what box any of their ballots should properly be  
 192 placed and to prevent, as far as possible, the depositing of  
 193 any ballot in the wrong box.

194 Fourteenth. To observe and scrutinize the manner in  
 195 which naturalizations are being made and to aid the court in  
 196 the matter of preventing fraudulent naturalizations, and for  
 197 these purposes to have at all times free access to all rooms  
 198 where such proceedings are being conducted.

199 The provisions of this subdivision to apply only to such  
 200 discreet or special supervisors as shall, from time to time,



201 be directed and detailed by the chief supervisor of elections  
 202 for this particular duty, in cities or towns having twenty  
 203 thousand inhabitants and upward, save that when a chief  
 204 supervisor of elections shall have reason to believe that actual  
 205 fraud or perjury has been, is being, or is about to be com-  
 206 mitted in the matter of naturalization in any particular city,  
 207 town, village, or other place having less than twenty thou-  
 208 sand inhabitants, he shall take measures to ascertain the facts  
 209 and expose and prevent the same, and in so doing may de-  
 210 tail such supervisors of election as he may select to aid him  
 211 therein, and such supervisors shall have all the power and  
 212 authority conferred upon supervisors in cities of twenty  
 213 thousand inhabitants and upward.

1 SEC. 9. Hereafter all votes cast for the office of Repre-  
 2 sentative or Delegate in Congress shall be counted, canvassed,  
 3 certified, and returned in the manner hereinafter provided, and  
 4 any State, Territorial, or municipal law or ordinance in so far  
 5 as it conflicts herewith is hereby annulled.

6 It shall be the duty of the State, Territorial, or local elec-  
 7 tion officers in each election district or voting precinct in the  
 8 United States whose duties are similar to those who are gen-  
 9 erally known as inspectors of election or as canvassers, and  
 10 who will hereafter be referred to herein as inspectors of elec-  
 11 tion, to count and canvass the ballots cast for such office in  
 12 the manner provided by the laws of their respective States

13 or Territories, as made to apply to the election district in  
 14 which they are serving, save that in the below-mentioned  
 15 particulars the methods herein set forth shall be followed,  
 16 and no other.

17 The counting of all such ballots shall be by tens and shall  
 18 be begun and continued, as follows, until completed:

19 The counting of such ballots shall begin by one of the in-  
 20 spectors of election counting out ten ballots and carefully ex-  
 21 amining each name on each of said ballots. Such officer shall  
 22 then pass the said ten ballots as rapidly as counted by him to  
 23 one of the supervisors of election, who shall count them in the  
 24 same manner and pass them to another of the inspectors of  
 25 election, who shall count them in the same manner and pass  
 26 them to a third inspector of election, if there be one present,  
 27 who shall count them in the same manner and pass them to  
 28 the third supervisor of elections, who shall count them in the  
 29 same manner and pass them to the fourth inspector of elec-  
 30 tion, if there shall be one present. The chairman or acting  
 31 chairman of the inspectors of election shall then call aloud the  
 32 names of the persons contained in the ballots so counted and  
 33 the office for which each person named therein is designated,  
 34 and the poll clerks, or the State, Territorial, or local election  
 35 officers answering thereto, who will be hereafter designated  
 36 herein as poll clerks, shall tally the votes for each of said per-  
 37 sons. The chairman or acting chairman of the supervisors

38 shall then call aloud the names of the persons contained in the  
 39 ballots so counted and the office for which each person named  
 40 therein is designated, and each of the supervisors of election  
 41 shall tally the votes for each of such persons. When the count-  
 42 ing of all ballots found in the Congressional box for any one can-  
 43 didate shall be wholly completed, the poll clerks and the supervi-  
 44 sors of election shall compare their tallies, the poll clerks with  
 45 each other and the supervisors of election with each other, and  
 46 then the poll clerks with the supervisors of election, and they  
 47 shall ascertain the total number of ballots for the candidate  
 48 so canvassed, and when it shall appear that the poll clerks  
 49 and the supervisors of election both agree upon the number  
 50 one of the inspectors shall announce the result in a loud voice ;  
 51 if the poll clerks and the supervisors of election can not agree  
 52 as to the number, then the chairman or acting chairman of the  
 53 inspectors of election shall in a loud voice announce the result  
 54 which the poll clerks have reached, and the chairman or act-  
 55 ing chairman of the supervisors of election shall announce the  
 56 result which the United States officers have arrived at. The  
 57 ballots of each candidate shall be canvassed in succession in  
 58 the same manner, but the ballots containing names partly from  
 59 one kind of ballots and partly from another, being those  
 60 usually called "split tickets" and those from which the name  
 61 of a person proper to be voted for on such ballots has  
 62 been omitted or erased, usually called "scratched tickets,"

63 shall then be canvassed separately by one of the inspectors  
 64 of election and one of the supervisors of election, sitting be-  
 65 tween the other inspectors of election on the one side and the  
 66 other supervisors of election on the other side; the inspector  
 67 of election shall then call off each name and the office for  
 68 which it is designated to the poll clerks, and shall then pass  
 69 each ballot to the supervisor of election, who shall call off  
 70 each name and the office for which it is designated to his  
 71 associate supervisors. The poll clerks and the supervisors of  
 72 election to whom any such ballots shall be called off shall at  
 73 once make a note of the same, and when all the ballots found  
 74 in the Congressional box which contain a vote for a Repre-  
 75 sentative or Delegate in Congress have been canvassed in the  
 76 manner herein provided for, the poll clerks shall compare their  
 77 tallies together and the two sets of officers shall then compare their  
 78 tallies each with the other, and if they agree upon the num-  
 79 bers the chairman or acting chairman of the inspectors of  
 80 election shall announce in a loud voice the number of votes  
 81 received by each candidate on "straight ballots," the number  
 82 received by him on the "split" and "scratched" ballots, and  
 83 the total number of votes received by him as found in that  
 84 box; if the poll clerks and the supervisors of election do not  
 85 agree upon the number of ballots then an announcement of  
 86 that fact shall be made by the chairman or acting chairman  
 87 of the inspectors of election and by the chairman or acting



88 chairman of the supervisors of election, each of whom shall  
 89 also announce the number of votes received by each candi-  
 90 date in the same manner as is provided herein in case of a  
 91 failure of the poll clerks and supervisors of election to agree  
 92 as to the total number of ballots received by a candidate.

1        SEC. 10. No certificate, statement, or return of the final  
 2 result of the count and canvass of the votes cast for a Repre-  
 3 sentative or Delegate in Congress shall be written upon, filled  
 4 up, or signed by any election officer, National, State, Terri-  
 5 torial, or local, or by any person whomsoever until the final  
 6 count of all ballots cast for every other office than that of Rep-  
 7 resentative or Delegate in Congress shall have been wholly  
 8 completed by all persons authorized by law to count the  
 9 same, and the certificates, statements, and returns of the re-  
 10 sult thereof shall have been wholly made out and completed.  
 11 If, during the count and canvass of the ballots contained in  
 12 any box other than that intended for the reception of ballots  
 13 for the office of Representative or Delegate in Congress, there  
 14 shall be found any ballot or ballots for the office of Representa-  
 15 tive or Delegate in Congress it shall be the duty of the chair-  
 16 man or acting chairman of the inspectors of election to count  
 17 the number of such ballots so found and then to deliver them  
 18 to the chairman or acting chairman of the supervisors of elec-  
 19 tion, who shall count them and immediately place them in an  
 20 envelope and seal them up, marking upon the outside of the

21 envelope the number of ballots so placed therein and the box  
 22 from which they were taken. When the count and canvass of  
 23 the ballots cast for every other office than that of Representa-  
 24 tive or Delegate in Congress shall have been wholly completed  
 25 and all proper and necessary certificates, statements, and re-  
 26 turns thereof made and completed, it shall then be the duty of  
 27 the inspectors of election and of the supervisors of election to  
 28 proceed to count and canvass the ballots for Representative or  
 29 Delegate in Congress found in the boxes other than the box  
 30 intended for the reception of ballots for Representative or  
 31 Delegate in Congress. Such ballot shall be counted in the  
 32 following manner:

33        Each of the envelopes containing such ballots shall be  
 34 opened and their contents placed upon a table apart from  
 35 any other ballots. The total number of the ballots so found  
 36 shall then be ascertained and announced by the respective  
 37 chairman or acting chairman of the inspectors of election and  
 38 of the supervisors of election. The poll-clerks and the super-  
 39 visors of election shall then add the total number of such  
 40 ballots to the previously ascertained total number of ballots  
 41 found in the box intended for the reception of ballots cast for  
 42 the office of Representative or Delegate in Congress, and i  
 43 the aggregate thereof shall not exceed the total number of  
 44 ots cast in the election district or voting precinct for any  
 45 officer voted for at that time, as shown by the poll-lists of



46 the poll-clerks and of the supervisors of elections, then all  
 47 such ballots shall be counted and canvassed by the in-  
 48 spectors of election and the supervisors of election, and  
 49 shall be tallied by the poll-clerks and supervisors  
 50 of election, as in this act provided for the count-  
 51 ing and canvassing of ballots found in the box intended for  
 52 the reception of ballots for the office of Representative or Dele-  
 53 gate in Congress. Upon the completion thereof and the addi-  
 54 tion to the number of ballots previously found for each can-  
 55 didate of the number of ballots so subsequently counted and  
 56 canvassed and the addition to the total number of ballots pre-  
 57 viously found to have been cast of the total number of ballots  
 58 so subsequently counted and canvassed, the total number of  
 59 ballots found to have been cast for each candidate, the total  
 60 number of "split" and "scratched" ballots, and the total num-  
 61 ber of ballots cast for the office of Representative or Dele-  
 62 gate in Congress shall, if the poll-clerks and supervisors of  
 63 election have agreed as to all such numbers, each be separately  
 64 and clearly announced in a loud voice by the chairman or acting  
 65 chairman of the inspectors of election if the poll-clerks and su-  
 66 pervisors shall not have agreed with respect thereto, then both  
 67 the chairman or acting chairman of the inspectors of election and  
 68 the chairman or acting chairman of the supervisors of election  
 69 shall make an announcement of the results as ascertained by the  
 70 election officers whom they thus, respectively, represent. If,

71 however, when the total number of such ballots found in any  
 72 box or boxes other than the one intended for the reception of  
 73 ballots for the office of Representative or Delegate in Congress  
 74 is added to the total number of such ballots found in the proper  
 75 box, the aggregate of all said ballots shall exceed the total number  
 76 of persons who shall have voted that day in the election dis-  
 77 trict, as shall appear by the poll-lists or books kept by the  
 78 poll clerks and the supervisors of election, or if, at any time,  
 79 the whole number of ballots found in any box intended for  
 80 the reception of ballots cast for the office of Representative or  
 81 Delegate in Congress which properly belong therein shall ex-  
 82 ceed the total number of persons who shall have voted that day  
 83 in the election district, then, in either of said cases it shall be the  
 84 duty of the chairman or acting chairman of the inspectors of  
 85 election and of the chairman or acting chairman of the super-  
 86 visors of election to place in the said Congressional box all  
 87 the ballots found to have been cast in the election district or  
 88 voting precinct for the office of Representative or Delegate  
 89 in Congress in whatever box they may have been deposited  
 90 or found, and to thoroughly mingle the same when, if such  
 91 excess shall be but one ballot, one of the inspectors of elec-  
 92 tion, and if such excess shall exceed one ballot, then one of  
 93 the inspectors of election and one of the supervisors of elec-  
 94 tion shall be blindfolded and placed with his back or their  
 95 backs to the said box, from which they shall publicly draw so

96 many ballots as shall be equal to the excess, which ballots  
 97 shall be forthwith destroyed; but if any portion of the ballots  
 98 shall have been counted and canvassed the votes for the per-  
 99 sons named therein shall first be deducted from the votes en-  
 100 tered for such person on the tallies. Where the ballots drawn  
 101 from any such box are to be drawn by an inspector of election  
 102 and a supervisor of election, such drawing shall be done as  
 103 follows: The first ballot shall be drawn by the inspector of  
 104 election and the second ballot by the supervisor of election;  
 105 all ballots drawn thereafter shall be drawn by each of said  
 106 officers alternately.

1 SEC. 11. The canvass of the ballots found in any such box  
 2 shall be completed by ascertaining how many ballots of the  
 3 same kind, corresponding in respect to the names of the per-  
 4 sons thereon and the offices for which they are designated,  
 5 have been received, and the result being found, the inspect-  
 6 ors of election shall make, in accordance with the provisions  
 7 of the State, Territorial, or local laws under which they are  
 8 serving as such officers, save where the same may be modi-  
 9 fied herein, all such statements, certificates, or returns as un-  
 10 der such laws they are required to make; and the supervisors  
 11 of election shall make duplicate statements of the result of  
 12 the canvass, and any State, Territorial, or municipal law or  
 13 ordinance to the contrary notwithstanding, they shall securely  
 14 paste or attach to each of said statements of such canvass,

15 which statements shall be respectively numbered one and two.  
 16 one ballot of each kind, size, style, or form found to have  
 17 been cast for each candidate for the office of Representative  
 18 or Delegate in Congress, and they shall state in words at full  
 19 length, immediately opposite such ballot, and written partly  
 20 on such ballot and partly on the paper to which it shall be  
 21 pasted or attached, the whole number of all the ballots that  
 22 were received which correspond as to kind, size, style, or form  
 23 with the one so pasted or attached, so that one of each kind,  
 24 size, style, or form of the ballots received at such election  
 25 for such officers shall be pasted or attached to such statement  
 26 and certificate of such canvass. If only one ballot of  
 27 any kind shall be found in the boxes it shall be pasted or at-  
 28 tached to statement number one, and if only two ballots of  
 29 one kind are found in the boxes, one shall be pasted or at-  
 30 tached to each statement. They shall also paste or attach to  
 31 statement numbered one, or shall securely seal up and forward  
 32 with such statement, all the ballots containing the name of  
 33 any candidate for Representative or Delegate in Congress  
 34 which shall have been rejected either by the inspectors of  
 35 election or by the supervisors of election as being in whole or  
 36 in part defective. Each such ballot shall have written across  
 37 it - back thereof, before being inclosed, a statement showing  
 38 by whom it was rejected, and each of the duplicate statements  
 39 shall show the whole number of votes given for each person



40 for the office of Representative or Delegate in Congress, which  
 41 statement shall be written or partly written and partly printed  
 42 in words at length, and at the end thereof a certificate that  
 43 such statement is correct in all respects; such certificate and  
 44 each sheet of paper forming part of the statement shall be  
 45 subscribed by each of the supervisors of election present. If  
 46 any supervisor of election desires, after subscribing the same,  
 47 to say anything touching the statement so subscribed by him,  
 48 he shall be at liberty to do so, but he must immediately put  
 49 the same in writing, in duplicate, and one copy thereof shall  
 50 be inclosed with each statement so subscribed by him.

1 SEC. 12. When the inspectors of election shall have com-  
 2 pleted such statements, certificates, or returns of their count  
 3 and canvass of all such ballots cast for the office of Represent-  
 4 ative or Delegate in Congress as under the provisions of this  
 5 act they are required to count and canvass—which certificates,  
 6 statements, or returns shall be made in accordance with the  
 7 provisions of the State, Territorial, or local election law appli-  
 8 cable in the election district or voting precinct in which they  
 9 are serving, save that any State, Territorial, or municipal law  
 10 or ordinance to the contrary notwithstanding, they shall show  
 11 the whole number of ballots cast for such office, in whatever  
 12 box they may have been placed or found, and the whole num-  
 13 ber of ballots cast for each person for such office, in whatever  
 14 box any such votes may have been placed or found—it shall

15 be their duty to compare each of such statements, certificates,  
 16 or returns with the other; when the supervisors of election  
 17 shall have completed their statements and certificates of all  
 18 such ballots, as herein provided, it shall be their duty to com-  
 19 pare each with the other and then the said inspectors of elec-  
 20 tion and the said supervisors of election shall compare each  
 21 class of officers with the other class the result set forth in  
 22 their respective certificates and statements.

23 If differences shall be found to exist in the facts stated  
 24 in said two sets of statements and certificates so compared  
 25 the supervisors of election shall make a signed memorandum  
 26 of the differences and attach the same to or inclose the same  
 27 with their statement numbered one. The statements, certifi-  
 28 cates, or returns of the inspectors of election shall then be dis-  
 29 posed of, as provided by the State, Territorial, or local laws  
 30 governing their action in the matter, and the statements and  
 31 certificates of the supervisors of election shall be disposed of  
 32 in the following manner:

33 Each of such duplicate statements and certificates shall  
 34 be inclosed in an envelope, which then shall be securely  
 35 sealed, and each of the supervisors of election shall then  
 36 write his name, official position, and home address across  
 37 every fold at which each envelope, if unfastened, could be  
 38 opened. The envelope containing statements and certificates  
 39 numbered one shall then be directed on the outside to the  
 40 chief supervisor of elections, under whom the supervisors of



41 election who made the statements or certificates so  
 42 inclosed shall be serving. The envelope containing state-  
 43 ment and certificate numbered two shall be directed to the  
 44 clerk of the United States circuit court for the same judicial  
 45 district as that which the chief supervisor, to whom state-  
 46 ment and certificate numbered one is sent, represents. The  
 47 tallies of the supervisors of election shall also be inclosed in  
 48 another envelope, which shall be securely sealed, similarly  
 49 signed across each fold, and directed to the same chief super-  
 50 visor of elections. All such sealed envelopes must then be  
 51 taken by the supervisors of election, or such one or more of  
 52 them as shall be designated by the chief supervisor of elec-  
 53 tions, and at the earliest moment thereafter, and within  
 54 twenty-four hours from the close of the canvass of the ballots,  
 55 must be deposited in the mail

1 SEC. 13. It shall be the duty of each of the officers to  
 2 whom, by the laws of the United States, any statements, cer-  
 3 tificates, tallies, or other papers or documents mentioned in  
 4 the preceding section shall be addressed, to receive and care-  
 5 fully preserve all such envelopes, papers, and documents. The  
 6 one forwarded the clerk of the circuit court of the United  
 7 States in any judicial district shall not be opened until such  
 8 time and place as the same may be lawfully opened. The  
 9 envelopes addressed to the chief supervisor of elections and  
 10 received by him shall be at once opened upon their receipt,

11 and the papers therein contained, together with the envelopes,  
 12 shall be preserved and filed. From the papers so received  
 13 the chief supervisor shall tabulate, for presentation and refer-  
 14 ence to by the United States board of canvassers of the Con-  
 15 gressional vote, the results as they appear therefrom in each  
 16 Congressional district under his jurisdiction in which this act  
 17 has been enforced.

18 If any one or more of the supervisors of election assigned  
 19 for service in any election district shall from any cause at any  
 20 time be absent or unable to perform and discharge any duty  
 21 imposed upon him by the laws of the United States, his or  
 22 their place shall, if possible, be at once filled by the chief  
 23 supervisor of elections as provided by law, but until it shall  
 24 be so filled by another supervisor or other supervisors, all the  
 25 duties imposed or required by law to be performed by the  
 26 supervisors of election shall devolve upon and be performed  
 27 by such one or more supervisors as are present at such elec-  
 28 tion district or voting precinct, and such supervisor or su-  
 29 pervisors shall at the time, if possible, report any absentee,  
 30 and if not possible then so to do then immediately after the  
 31 close of the canvass of votes he or they shall make and sign  
 32 a report as to such absentee or absentees and the hours of  
 33 their absence and inclose it with their tallies to the chief  
 34 supervisor of elections.

1 SEC. 14. If in any election district or voting precinct,

2 where supervisors of election have been appointed as provided  
 3 in this act, no polls shall be opened as required by the laws  
 4 of the State within one hour from the time such polls should  
 5 be opened, then it shall be the duty of the supervisors present  
 6 to open the polls for the reception of ballots for Representative  
 7 or Delegate in Congress only. They shall conduct said elec-  
 8 tion as provided by the laws of the State in which the election  
 9 is held, save where the same are modified, annulled, or changed  
 10 by the laws of the United States, and shall make, in addition  
 11 to the statements and certificates required by the laws of the  
 12 United States, such number of statements, certificates, or re-  
 13 turns of the count and canvass of all such ballots as are by the  
 14 State or Territorial election laws required, and such returns  
 15 shall be made to such authorities as are provided in such State  
 16 or Territorial laws. The returns so made under State or Ter-  
 17 ritorial laws shall each be accompanied by a statement of the  
 18 circumstances under which such election was held, and the  
 19 returns so made shall be received, tabulated, canvassed, and  
 20 certified and declared by the proper local, State, or Territorial  
 21 authorities the same as if the election had been held and con-  
 22 ducted by the State, Territorial, or local election officers.

1 SEC. 15. It shall be the duty of each chief supervisor  
 2 of election, on or before the first day of September next fol-  
 3 lowing the passage of this act, to cause a judge of the circuit  
 4 court of the United States in his judicial district to be informed

5 in writing that it is necessary that the circuit court should be  
 6 opened for the purpose of complying with the provisions of  
 7 this section.

8 It shall be the duty of the circuit judge who shall be so  
 9 informed, on or before the first day of October next follow-  
 10 ing the date of any communication containing such informa-  
 11 tion, to personally open and hold a circuit court of the United  
 12 States in such judicial district in such one of the States compris-  
 13 ing his judicial circuit as shall be most convenient to him, and  
 14 within ten days thereafter the said circuit court, so held by said  
 15 circuit judge, shall, for each State within the said judicial cir-  
 16 cuit, appoint three persons of good standing and repute, citi-  
 17 zens of the United States and citizens and residents of the  
 18 State for which they shall be appointed who shall be known as  
 19 the United States board of canvassers of the Congressional  
 20 vote within and for the State for which they shall be appointed;  
 21 one of said three persons shall, when appointed, be named  
 22 as chairman of the board. Such persons shall be sworn  
 23 to the faithful performance of their duty and to support  
 24 and defend the Constitution of the United States. They shall  
 25 each hold their office so long as faithful and capable and  
 26 not more than two of them shall belong to the same political  
 27 party; they shall each receive a salary of fifteen dollars a day  
 28 for each day actually employed in the work of canvassing the  
 29 statements and certificates of ballots cast at any election, gen-

30 eral or special, for a Representative or Delegate in Congress  
 31 and a further sum of five dollars per day for their personal  
 32 expenses. They shall have a seal and may appoint a clerk,  
 33 who shall receive twelve dollars a day for his services and ex-  
 34 penses while actually in attendance upon said board. As a  
 35 board it shall be the duty of such appointees of the said cir-  
 36 cuit court to convene on the fifteenth day of November of  
 37 each even year, unless the same shall fall upon Sunday, when  
 38 they shall convene on the following day. In case of a special  
 39 election they shall convene one week from the day of such  
 40 special election. They shall so convene at such place in their  
 41 State as shall be most convenient for them, which place must,  
 42 however, be a place where a term of the circuit court of the  
 43 United States is by law regularly held, and there proceed to  
 44 finally canvass and tabulate the votes which shall have been  
 45 stated and certified as cast for Representative or Delegate in  
 46 Congress in each Congressional district in their State in and  
 47 throughout which this act shall have been enforced, and not  
 48 elsewhere, and shall declare and certify the result of the elec-  
 49 tion thereof in each such district.

50 For the purposes aforesaid they shall use the statements  
 51 and certificates and such accompanying papers, if any, as  
 52 shall have been forwarded to the clerk of the circuit court of  
 53 the United States in the several judicial districts in their State,  
 54 and the same shall be, by such officers, produced before the

55 said board for such purpose; when opened by the chairman  
 56 or acting chairman of the said board he shall mark each sep-  
 57 arate sheet of each such statement and certificate as shall be  
 58 contained therein with the initials of his name. The said board  
 59 may also require the production before it of such certificates  
 60 and statements and such accompanying papers and tallies  
 61 filed with the several chief supervisors of elections in the same  
 62 judicial districts as shall be necessary, for examination and  
 63 comparison by said board, where it shall appear by a com-  
 64 parison of the tabulated returns furnished for their inspection  
 65 and reference by such chief supervisors, as provided in  
 66 this act, with the statements and certificates filed with the  
 67 several clerks of the circuit courts, that there are dis-  
 68 crepancies or errors existing. It shall also be authorized  
 69 and empowered to summon and compel the attendance be-  
 70 fore it of the supervisors of election who served on election day  
 71 day in any election district in and from which there shall be  
 72 found to exist incomplete, imperfect, or inconsistent certificates  
 73 and statements, and to examine such officers for the purpose  
 74 of ascertaining whether such certificates and statements are  
 75 imperfect or inconsistent and of arriving at the facts. Any  
 76 supervisor of election who shall fail, neglect, or refuse, with-  
 77 out good and sufficient excuse, to obey any summons of said  
 78 board to so attend at the time and place required therein,  
 79 shall be liable to arrest, and upon conviction shall be punished



80 by a fine of not more than five hundred dollars, or by im-  
 81 prisonment for not more than one year, or by both such fine  
 82 and imprisonment. The marshal of the United States in the  
 83 judicial district in which any such board of canvassers shall  
 84 be convened shall detail one of his deputies to attend its ses-  
 85 sions and preserve order thereat. Such marshal shall, by his  
 86 deputies, serve all summonses of said board.

87 The determination arrived at and stated in the declara-  
 88 tions and certificates of any such United States board of can-  
 89 vassers shall, as to each such Congressional district, be at  
 90 once made public, and the declaration and certificate for each  
 91 Congressional district shall be made in triplicate, be signed  
 92 by each member of the board, and have affixed thereto the  
 93 seal of said board; one shall be filed in the office of the chief  
 94 supervisor of elections, under whose supervision the Con-  
 95 gressional district covered by it was together with  
 96 all the papers and documents used, or which might by  
 97 law be used, before such board for the purpose of ascer-  
 98 taining, declaring, and certifying the result in said Congres-  
 99 sional district; another shall be forwarded by mail to the  
 100 person found by them to have been elected, addressed to him  
 101 at his place of residence; the third copy shall be similarly  
 102 forwarded to the Clerk of the House of Representatives of  
 103 the United States at Washington. In case no person be  
 104 found duly elected in any district a certificate of that act

105 shall be made by said board in triplicate, under their hands  
 106 and seals, and forwarded as follows: One to the governor of  
 107 the State, another to the Clerk of the House of Representa-  
 108 tives, and the third to the proper chief supervisor of elections.

109 The final declaration and certificate of said board as to  
 110 the result in each and every Congressional district shall be  
 111 completed and transmitted to the Clerk of the House of Rep-  
 112 resentatives as soon as practicable, and in no event later than  
 113 the last day of the month in which by law said board is to  
 114 convene.

1 SEC. 16. Upon the receipt by the Clerk of the House of  
 2 Representatives of the declaration and certificate of any United  
 3 States board of canvassers of the Congressional vote as to the  
 4 election of any Representative or Delegate in Congress it  
 5 shall be the duty of that officer to open and file the same in  
 6 his office. If by such declaration and certificate it shall ap-  
 7 pear that another and different person has been elected as a  
 8 Representative or Delegate in Congress than the person certi-  
 9 fied as elected by such officer or officers of the State in which  
 10 such Congressional district is situated, whose duty it is by the  
 11 laws of the State to make such certificate, then the person so  
 12 certified as elected by the declaration and certificate of the  
 13 United States board of canvassers shall be, by the said Clerk  
 4 of the House of Representatives, placed upon the rolls of  
 15 persons elected as Representatives or Delegates in Congress,

16 and the provisions of existing law respecting the names of  
 17 persons who shall be placed upon the roll of the House of  
 18 Representatives by the Clerk thereof are modified to the ex-  
 19 tent herein provided, and to such extent only. Any Clerk of  
 20 the House of Representatives who shall neglect, fail, or re-  
 21 fuse to place upon the roll of Representatives and Delegates  
 22 elect the name of any person entitled to be placed thereon as  
 23 provided by the laws of the United States, shall be liable to  
 24 arrest, and upon conviction shall be punished by a fine not  
 25 less than one thousand nor more than five thousand dollars,  
 26 or by imprisonment for not less than one nor more than five  
 27 years, or by both such fine and imprisonment, and shall be  
 28 forever disqualified from holding thereafter any office of trust  
 29 or profit under the Government of the United States.

1 SEC. 17. The Attorney-General of the United States  
 2 shall seasonably, before every election, cause to be prepared  
 3 and furnished all such blanks and forms as may be needed for  
 4 the complete performance of their duties by the United  
 5 States boards of canvassers of the Congressional vote in this  
 6 act provided for and shall furnish and supply the same to  
 7 them; the accounts for such compensation and expenses as  
 8 are provided by law for the members of the United States  
 9 boards of canvassers of the Congressional vote, and for the  
 10 clerk of any such board, shall be, by the accounting officers  
 11 of the Treasury, allowed and paid each such member and

12 clerk, upon his oath as to his days of service and the certificate  
 13 of the chairman of any such board as to the correctness of  
 14 the account of any member or clerk of that board of which  
 15 he shall be chairman; such allowance and payment shall be  
 16 made from the permanent appropriation therefor provided by  
 17 law.

1 SEC. 18. Any United States board of canvassers ap-  
 2 pointed under the provisions of this act for any State may  
 3 in all cases act by a majority of its members, but in case  
 4 either of them dissents from any decision, act, or certificate  
 5 of his associates he may annex a certificate of such dissent  
 6 and of his reasons therefor to each of the triplicate certificates  
 7 and declarations of said board, and the same shall be trans-  
 8 mitted therewith.

1 SEC. 19. Supervisors of election in any city or town  
 2 having twenty thousand inhabitants or upward shall be  
 3 entitled to compensation for not more than twelve days; in  
 4 such other places in which there is a registration for not more  
 5 than six days, and where there is no registration for not more  
 6 than three days; within such limits there shall be allowed  
 7 and paid them, in any city or town having one hun-  
 8 dred thousand inhabitants or upward, five dollars per  
 9 day for each day of actual service other than the day  
 10 of election, and forelection day ten dollars, and in all other places  
 11 for each day of actual service five dollars per day. Special

12 deputy marshals shall be allowed and paid for each  
 13 day of actual service, not exceeding eight days, the sum  
 14 of five dollars per day. The chief supervisor of elections  
 15 may require from each supervisor of election a written  
 16 report of the day or days upon which he served, which report  
 17 shall be filed in his office and shall be compared with such  
 18 other records relating thereto as shall be found therein; the  
 19 result of the comparison so made shall be the basis of  
 20 the chief supervisor's certificate as to the period of service of  
 21 the several supervisors of election. The marshal of the  
 22 United States in any judicial district who shall appoint any  
 23 special deputy marshals shall require of each of them a similar  
 24 report of the day or days upon which he served; he shall  
 25 pay all supervisors of election and special deputy marshals  
 26 in his judicial district upon their oath as to their service, and  
 27 his accounts for all such payments shall be presented, exam-  
 28 ined, and certified as now provided by law. Every super-  
 29 visor of election who shall have faithfully performed his  
 30 duty as such officer shall be exempt from all jury duty in the  
 31 United States courts in the judicial district in which he  
 32 served for the period of one year from the date of his quali-  
 33 fication as a supervisor; but no supervisor of election and no  
 34 special deputy marshal who shall fail to fully perform and  
 35 discharge each day, when on duty, all the duties required of

36 him, shall be entitled to pay for any when he shall have so  
 37 failed.

1 SEC. 20. No person shall be appointed a special deputy  
 2 marshal who shall not be able to read and write the English  
 3 language. Special deputy marshals, when required by the  
 4 chief supervisor of elections, shall aid and assist the super-  
 5 visors of elections in making the house canvass provided for  
 6 in this act; the number of special deputy marshals who may  
 7 under any provision of law be appointed for election purposes  
 8 shall be determined from time to time at conferences between  
 9 the marshal and the chief supervisor of elections, and no other or  
 10 greater number of special deputies shall be appointed than the  
 11 chief supervisor of election shall from time to time certify to  
 12 be, in his opinion, necessary to observe the manner in which  
 13 the election officers are discharging their duties to enforce the  
 14 election laws of the United States, and to prevent frauds and  
 15 irregularities in naturalization. In the making of assign-  
 16 ments of such special deputy marshals as shall be appointed  
 17 the marshal shall be governed by the request of the chief  
 18 supervisor of elections, and it is further made the duty of  
 19 the special deputy marshals, and each of them is hereby re-  
 20 quired, if directed by the chief supervisor of elections, to  
 21 take charge of such returns of the canvass of the votes found  
 22 in any box which under existing law the chief supervisor may  
 23 require to be made to him by the supervisors of election as rap-



24 idly as the canvass of each box is completed and the returns  
 25 thereof are made out and signed by the supervisors, and to at  
 26 once, in such manner and at such place as the chief supervisor  
 27 shall direct, safely deliver to him all such returns so intrusted to  
 28 their care and custody; one-third of the special deputy marshals  
 29 appointed in any authorized place must and shall be taken and  
 30 named from such lists of persons as shall be forwarded  
 31 the marshal by the chief supervisor of elections, and the  
 32 office of every chief supervisor of elections shall be in the city,  
 33 town, or other place in which he resides, and if therein there  
 34 shall be a public building, the property of the United States,  
 35 it is hereby made the duty of the Secretary of the Treasury  
 36 to assign to the use of such officer such necessary rooms  
 37 therein as shall not be needed and occupied by the courts of  
 38 the United States, the judges and clerks thereof, the district  
 39 attorney, the marshal of the United States, and the post-  
 40 office—to the exclusion of all other occupants; if the said  
 41 Secretary shall not be able in any such city, town, or other  
 42 place so to assign the necessary rooms for the use and  
 43 occupancy of any such chief supervisor of elections in such  
 44 building, then, and in that event, he shall assign him therein  
 45 room at least sufficient for his use as a record room,  
 46 and shall fit the same up in a suitable manner for such use  
 47 and shall then hire and furnish for him the necessary  
 48 and requisite rooms for his office and working use.

49 in such other building in said city as may be selected  
 50 by said chief supervisor and agreed to by the Secretary  
 51 of the Treasury, and the annual rent of such rooms so hired  
 52 and the cost of furnishing the same shall be paid by the said  
 53 Secretary from the Treasury of the United States from the  
 54 permanent appropriation provided by law therefor; and the  
 55 same action as to hiring and furnishing offices for a chief su-  
 56 pervisor shall be had and taken in any such city, town, or  
 57 other place of residence of a chief supervisor in which there  
 58 shall be no public building, the property of the United States,  
 59 and a portion of which shall be occupied by the courts or the  
 60 post-office.

1 SEC. 21. The chief supervisor of elections in any judicial  
 2 district shall prepare and furnish all blank applications for the  
 3 use of those who may desire to be appointed supervisors of  
 4 election, blank lists for use in presenting the names of eligible  
 5 persons to the circuit court, envelopes and stationery for his  
 6 office use and for the use of the supervisors of election, and  
 7 all blanks, forms, books, certificates, reports, statements, re-  
 8 turns, and instructions necessary for his own use or the use  
 9 and direction of the supervisors of election within his juris-  
 10 diction or the use of the special deputy marshals, when aiding  
 11 the supervisors of elections as herein required or provided for;  
 12 also all such maps of Congressional and election district  
 13 boundaries in cities of twenty thousand inhabitants or upward

14 as may be necessary for his own use or the use of the super-  
 15 visors of election, and such county and other maps as he  
 16 may need for his guidance in dealing with official matters  
 17 within his jurisdiction; he shall file all applications for  
 18 appointment as supervisors of elections, all oaths of office  
 19 of supervisors of election and special deputy marshals, all  
 20 returns of the canvass of votes, all reports, and all state-  
 21 ments and certificates of the canvass of votes, all tally-shoots,  
 22 poll-lists, and all other papers, contemplated, allowed, or made  
 23 requisite by the provisions of this act, together with all letters  
 24 and telegrams received by him in his official capacity re-  
 25 lating to election matters; he shall keep and file copies of  
 26 his official letters and telegrams sent upon the same matters.

1 SEC. 22. Upon the passage of this act the term of office  
 2 of any chief supervisor of elections, who shall also be a clerk  
 3 of either the circuit or district court, or both, in any judicial  
 4 district, shall at once cease and determine, and thereafter no  
 5 person shall be appointed a chief supervisor of elections who  
 6 is, nor shall any person hold the office of chief supervisor of  
 7 elections who shall, be appointed a clerk or deputy clerk of  
 8 any circuit or district court of the United States; and in any  
 9 judicial district in and for which no chief supervisor of election  
 10 shall have heretofore been appointed, or in which there shall,  
 11 any time after the passage of this act, be a vacancy in such  
 12 office, it shall be the duty of the circuit court therein to ap-

13 point from among the circuit court commissioners one of such  
 14 officers the chief supervisor of elections in and for the judicial  
 15 district for which he is a commissioner; and each such chief  
 16 supervisor of elections and each chief supervisor of elections  
 17 now in office and not disqualified or removed by the provis-  
 18 ions of this act shall, so long as faithful and capable, hold such  
 19 office and perform and discharge the duties imposed upon him  
 20 by any law of the United States.

1 SEC. 23. It shall be the duty of each chief supervisor of  
 2 elections, within not less than fourteen days of the day of  
 3 election, to forward to the marshal of the United States in his  
 4 judicial district an estimate of such amount of money  
 5 as will cover the pay of the supervisors of election for their  
 6 services. Such estimate shall be immediately forwarded by  
 7 the marshal to the Attorney-General of the United States,  
 8 whose duty it shall be, without delay, and before the day of  
 9 election, to cause to be deposited in a subtreasury or in a  
 10 Government depository in the judicial district from which the  
 11 estimate shall be sent, to the credit of the marshal of the  
 12 United States for said district, the sum of money so estimated  
 13 to be required. Such money so deposited shall, with all  
 14 possible promptness and dispatch, and within not exceeding  
 15 twenty days after the day of election, be paid by the marshal  
 16 to the supervisors of election in such sums as shall be shown  
 17 by the certificate of the chief supervisor of elections to be



18 due them. Such certificate shall be attached to a pay-roll,  
 19 which shall include as far as practicable, at the time made, the  
 20 names of all the supervisors who served and the days of such  
 21 service, and a duplicate of such certificate and pay-roll shall  
 22 be filed in the office of the chief supervisor. Any chief super-  
 23 visor of elections may at any time and from time to time sub-  
 24 sequent to the making of the estimate hereinabove provided  
 25 for make a further estimate, if the preceding one shall be found  
 26 not to be sufficient, and it shall be similarly forwarded, sim-  
 27 ilarly treated, and as near as may be as to time similarly dis-  
 28 bursed. Payments to supervisors of election shall, in each  
 29 instance, be made by check drawn to the order of the super-  
 30 visor of election to whom the sum called for is due and payable.

1 SEC. 24. All notices, lists, applications, appointments,  
 2 oaths of office, returns of registry, reports, poll books or lists,  
 3 tally-sheets, returns of house canvass, verification reports, re-  
 4 turns of the canvass of votes and also all statements and certifi-  
 5 cates of the canvass of all votes cast at any election at which a  
 6 Representative or Delegate in Congress is voted for, and all  
 7 other documents contemplated, authorized, or required under  
 8 any law of the United States relating to elections to be made  
 9 or kept by the chief supervisor of elections, by the supervisors  
 10 of election, or the special deputy marshals, or which  
 11 are authorized or required under any law of the United  
 12 States to be filed with the chief supervisor of elections,

13 are hereby made records of his office, and to the end  
 14 that they may be preserved, both for reference and the  
 15 most speedy use and service, they shall be fully entered of  
 16 record in either index or tabular form, or both such forms of  
 17 entering may together be employed in entering any record;  
 18 but no entering of record of the reports of the house canvass  
 19 provided for in this act shall extend beyond the block number  
 20 and the number or name of the election and ward or assembly  
 21 district, and the name and residence of those males who are  
 22 shown to be twenty-one years of age and upwards and who  
 23 claim the right to vote; nor shall there be any entering of  
 24 record of the contents of any statement and certificate of the  
 25 supervisors of election originally filed with the clerk of the  
 26 Circuit Court of the United States, and subsequently filed  
 27 with the chief supervisor of elections by the United States  
 28 board of canvassers in this act provided for, nor of the tallies  
 29 of the supervisors of election, and the only entering of record  
 30 which shall be made of the statements and certificates for-  
 31 warded to the chief supervisor of elections under the provisions  
 32 of this act shall be in tabular form. There shall be allowed  
 33 and paid to the chief supervisor of elections for his serv-  
 34 ices as such officer the following compensation, apart from  
 35 and in excess of all fees allowed by law for the performance  
 36 of any duty as circuit court commissioner: For filing and  
 37 caring for every return, report, application, oath of office, or



38 other paper or document contemplated, authorized, or required  
 39 to be filed with or by him, under any law of the United  
 40 States, ten cents; for affixing a seal to any certificate order  
 41 of detail or assignment or any report required to be made by  
 42 him under any law of the United States, twenty cents; for  
 43 entering of record in such form as is by law provided by law  
 44 the records of his office, fifteen cents per folio; for arranging  
 45 and transmitting to Congress any report, statement, return,  
 46 record, or examination authorized or required by law to be so  
 47 transmitted, and for tabulating and transmitting to the proper  
 48 national board of canvassers of the Congressional vote such  
 49 tables as by law he is authorized or required to so tabulate  
 50 and transmit, fifteen cents for each folio; for any copy thereof  
 51 or of any paper on file in his office, a like sum; and there  
 52 shall be allowed and refunded to him in his accounts upon  
 53 the vouchers therefor all bills paid by him for the printing and  
 54 furnishing of the various forms, blanks, certificates, instruc-  
 55 tions, books, maps, and record and index volumes required for  
 56 his use or the use of the supervisors of election, or which may  
 57 be authorized herein, together with all bills paid by him for  
 58 envelopes or other stationery authorized to be purchased and  
 59 for telegraph or telephone service, or both, but no chief super-  
 60 visor of elections shall be entitled to any fee for drawing in-  
 61 structions to supervisors or for furnishing any copy thereof to

62 any supervisor, but he shall prepare all such instructions and  
 63 cause them to be printed and distributed.

1        SEC. 25. The chief supervisor of elections shall, in his  
 2 capacity of circuit court commissioner, have full power and  
 3 authority to administer the oaths of office and of service to super-  
 4 visors of election and special deputy marshals, and such oaths  
 5 shall be administered by him or by such one or more of the cir-  
 6 cuit court commissioners in his judicial district as he shall from  
 7 time to time designate; and such commissioner or commis-  
 8 sioners shall have full power and authority to administer all  
 9 such oaths, and shall administer them, and there shall be  
 10 allowed and paid by the accounting officers of the Treasury to  
 11 any circuit court commissioner who shall, under the provisions  
 12 of this section, administer such oaths of office, or of service, the  
 13 sum of ten cents for administering each such oath and fifteen  
 14 cents for certifying to the same; and every chief supervisor  
 15 shall issue to each supervisor of elections who, under the  
 16 provisions of this act, is exempted from jury duty a certificate  
 17 under seal showing such service and exemption.

1        SEC. 26. The circuit court of the United States in any  
 2 judicial district may, upon the request of the chief supervisor  
 3 of elections, appoint such one of the circuit court commis-  
 4 sioners as such chief supervisor shall designate, unless there  
 5 be some good and substantial reason why such appointment  
 6 should not be made, to be deputy chief supervisor of elections.

7 Such deputy shall perform and discharge from time to time  
 8 time all such duties as shall be assigned him by the chief  
 9 supervisor of elections, and shall, in the absence, illness,  
 10 resignation, removal, or death of the chief supervisor, act in his  
 11 place; the said circuit court may also, upon the request of the  
 12 chief supervisor of elections in any such judicial district, appoint  
 13 such person as the said chief supervisor of elections shall designate,  
 14 unless there shall exist some good and substantial reason  
 15 why such appointment should not be made, as chief clerk of  
 16 the chief supervisor's office. Such chief clerk shall perform  
 17 and discharge from time to time all such duties as shall be  
 18 assigned him by the chief supervisor or the deputy chief supervisor  
 19 when acting as chief supervisor, and the compensation  
 20 of such deputy chief supervisor and such chief clerk shall be  
 21 such as shall be agreed upon between each such officer and  
 22 the chief supervisor of elections and shall be borne by the  
 23 chief supervisor.

1 SEC. 27. In the matter of the accounts of chief supervisors  
 2 of elections it is hereby provided that such accounts,  
 3 both for services rendered and bills paid, may be rendered  
 4 from time to time, either as a whole or in part, but when  
 5 only partly rendered shall so state, and when made out shall  
 6 be presented to either the circuit or district judge in the  
 7 district in which the chief supervisor acts; they shall be  
 8 sworn to before such judge, who shall have the right and

9 authority to examine the chief supervisor under oath as  
 10 to the work done, the accuracy of the count of such work,  
 11 and the fees charged for the respective services; that  
 12 after such examination and such inspection of the chief supervisor's  
 13 office as the judge may deem necessary to make to  
 14 satisfy himself that the work has been actually done and the  
 15 fees charged therefor are those provided by law and the bills annexed  
 16 are by law properly chargeable and have been actually  
 17 and necessarily incurred and paid, it shall be his duty to certify  
 18 the said accounts in the following words and figures, to wit:

19 "In the matter of the accounts of \_\_\_\_\_ as chief supervisor  
 20 of elections for the \_\_\_\_\_ district of \_\_\_\_\_ for the election  
 21 held in \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at which  
 22 \_\_\_\_\_ Representatives in Congress were voted for.

23 \_\_\_\_\_, chief supervisor of elections for the \_\_\_\_\_ of \_\_\_\_\_,  
 24 having this day presented to me in duplicate his accounts (in  
 25 whole or in part, as the case may be) as chief supervisor for the  
 26 election hereinabove mentioned, I hereby certify that I have  
 27 examined the same and have also examined the said  
 28 under oath, as to the work performed by him and the extent and  
 29 amount of the same as well as the mode adopted by him in ascertaining  
 30 the amount of the work so done and charged for by him,  
 31 and being satisfied by my examination of him, and of the work  
 32 for which he has charged that the same has been actually done,  
 33 that the fees charged therefor are the statutory fees, and that

34 the bills annexed to said account are lawfully charged to the  
 35 United States, have been actually and necessarily incurred and  
 36 have been paid, I do approve and allow the said accounts in  
 37 the sum of .

38 "\_\_\_\_\_,  
 39 "Judge."

40 Such accounts, made in whole or in part after such certifica-  
 41 tion, approval, and allowance by a circuit or district judge, shall be  
 42 forwarded to the Treasury of the United States for payment, and  
 43 it shall be the duty of such accounting officers of the Treasury as  
 44 shall have cognizance thereof to treat the same as "special,"  
 45 and to allow, state, and pay the same without delay as approved  
 46 and allowed by the judge who passed them, save that any clerical  
 47 errors found in figures or footings may be corrected by them.  
 48 In case any judge to whom any chief supervisor's account shall  
 49 be presented shall decline or refuse to allow any portion thereof,  
 50 the chief supervisor may bring suit therefor either in the Court  
 51 of Claims or in the circuit court in his judicial district, and from  
 52 the judgment of said court, or any part thereof, either party to  
 53 the action may appeal to the Supreme Court of the United  
 54 States without regard to the amount thereof; unless such appeal  
 55 shall be taken within thirty days from the rendition of judg-  
 56 ment in the circuit court the full amount of the judgment  
 57 shall at once be allowed and paid by the accounting officers  
 58 of the Treasury from the permanent appropriation for chief

59 supervisors' fees; all suits involving the fees of chief super-  
 60 visors and the compensation of supervisors and special deputy  
 61 marshals shall, in all courts of the United States, be preferred  
 62 causes and shall be heard and disposed of without delay; and all  
 63 judgments in such cases must be promptly paid by the  
 64 accounting officers of the Treasury from the permanent ap-  
 65 propriation provided for the payment of such officers. All  
 66 the provisions of this section shall also apply to all accounts  
 67 of United States commissioners for services rendered in cases  
 68 arising under the election laws of the United States, save such  
 69 as relate to their certification and approval, and their pay-  
 70 ment from any permanent appropriation.

1 SEC. 28. So much of section thirty-six hundred and eighty-  
 2 nine of the Revised Statutes of the United States, entitled  
 3 one, "appropriations," as relates to "the permanent annual  
 4 appropriation" for "fees of supervisors of election" and is  
 5 contained under the head "judicial" and subhead "miscella-  
 6 neous," is hereby repealed, and the same shall hereafter read  
 7 as follows:

8 "MISCELLANEOUS PERMANENT APPROPRIATIONS.

9 "Accounts of chief supervisors of elections for fees and  
 10 disbursements provided by law, and for the rent and furnish-  
 11 ing of all needed office accommodations for such officers,  
 12 compensation of supervisors of election and special deputy



13 marshals, and compensation and expenses of the United States  
14 boards of canvassers of the Congressional votes, and their  
15 clerk.

16 "To pay chief supervisors of elections compensation and  
17 disbursements apart from and in excess of all fees allowed by  
18 law for the performance of any duty as circuit commissioners,  
19 and to pay rents and bills for furnishing all needed office ac-  
20 commodations for such officers.

21 "To pay supervisors of election and special deputy mar-  
22 shals compensation.

23 "To pay the compensation and expenses of the several  
24 United States boards of canvassers and their clerks, as the  
2 same is fixed by law."

1 SEC. 29. Whenever it shall appear by affidavit that  
2 errors have occurred in the determination of any board of can-  
3 vassers, either national, State, Territorial, county, or other local  
4 board in any State or Territory in the matter of the votes cast  
5 for a Representative or Delegate in Congress, the circuit court  
6 of the United States in the judicial district in which any such  
7 board of canvassers shall have met and acted in respect  
8 thereto may, by order, require any such board to correct such  
9 errors or show cause why such correction should not be made,  
10 and, in the event of the failure of any such board to make  
11 such correction or show cause as aforesaid, the said court  
12 may compel any such board, by writ of mandamus, to correct

13 such errors; and if any such board of canvassers shall have  
14 made its determination and dissolved, such court may compel it  
15 to reconvene for the purpose of making such corrections. For  
16 the purpose of making such corrections as the court shall  
17 order the meeting of any such board of canvassers shall be  
18 deemed a continuation of its regular session, and the statements  
19 and certificates shall be made and filed as the court shall  
20 direct; and so far as the same shall vary from the original  
21 certificates and statements, the statements and certificates  
22 made under the order of said circuit court shall stand in lieu  
23 thereof, and shall in all places be treated with the same effect  
24 as if such corrected statement had been a part of the original  
25 required by law.

1 SEC. 30. For the purpose of service of papers and other  
2 proceedings any such board of canvassers, as organized and  
3 existing at the time of making the original canvass, shall be  
4 deemed a continuing board so far as all matters connected  
5 with the canvass of the votes cast for a Representative or  
6 Delegate in Congress are concerned, any State, Territorial,  
7 or municipal law to the contrary notwithstanding.

1 SEC. 31. Any marshal or deputy marshal, or any warden  
2 or keeper of any jail, prison, or penitentiary to which United  
3 States prisoners are committed, or in which any such prison-  
4 ers are or may be confined pending trial, who shall refuse or  
5 decline to receive and safely keep any prisoner committed to

6 his custody under any warrant or other process of any judge  
 7 of any court of the United States or any circuit court commis-  
 8 sioner, upon conviction thereof shall, for every such refusal,  
 9 be punished by a fine of not less than five hundred nor more  
 10 than one thousand dollars, or by imprisonment for not less than  
 11 six months nor more than one year, or by both such fine and  
 12 imprisonment.

1        SEC. 32. Sections six hundred and forty-three, six hun-  
 2 dred and forty-five, nineteen hundred and eighty-eight, two  
 3 thousand and seventeen to two thousand and twenty-four,  
 4 both inclusive, and sections two thousand and twenty-seven  
 5 five thousand five hundred and twenty-one, and five thousand  
 6 five hundred and twenty-three of the Revised Statutes of the  
 7 United States, and each and every section of the Revised Statutes  
 8 of the United States under title twenty-four, "Civil rights,"  
 9 which section or the purport thereof came from the act of  
 10 May thirty-first, eighteen hundred and seventy, chapter one  
 11 hundred and fourteen, volume sixteen, Statutes at Large of  
 12 the United States, and all sections of title twenty-six, of  
 13 said Revised Statutes, "The elective franchise," which sections  
 14 or the purport thereof came from the said act of May thirty  
 15 first, eighteen hundred and seventy, just above referred to,  
 16 or from the act of February twenty-eighth, eighteen hundred  
 17 and seventy-one, chapter ninety-nine, volume sixteen, Stat-  
 18 utes at Large of the United States, save such sections of either

19 of said titles as are herein specifically repealed, are each and  
 20 every of them hereby made a part of this act, and their pro-  
 21 visions are made to refer and apply to this act with the same  
 22 force and effect as if it was specifically mentioned or referred  
 23 to therein, save as the same shall be changed or modified by  
 24 the terms of this act.

1        SEC. 33. Sections two thousand and eleven, two  
 2 thousand and twelve, two thousand and thirteen, two thou-  
 3 sand and fourteen, two thousand and fifteen, two thousand  
 4 and sixteen, two thousand and twenty-five, two thousand and  
 5 twenty-six, two thousand and twenty-eight, two thousand  
 6 and twenty-nine, two thousand and thirty-one, of title twenty-  
 7 six of the Revised Statutes, "The elective franchise," are  
 8 each and every of them hereby repealed, so far as future elec-  
 9 tions at which Representatives or Delegates in Congress are  
 10 to be voted for, but the repeal by this act of any specified  
 11 section or part of a section of the Revised Statutes shall  
 12 in no wise affect any officer or any individual, any  
 13 complaint or indictment, or any trial which may be  
 14 had, any right of any accused person, any verdict,  
 15 sentence, or appeal therefrom, or any matter whatsoever  
 16 where the right or wrong of any action taken, any duty  
 17 performed, any complaint made, any indictment found, any  
 18 trial had, any verdict rendered, any sentence imposed, or any

19 appeal therefrom which has been or may be taken, or any fee  
 20 account, or compensation of any officer provided for under any  
 21 of said sections or any as yet unrepresented, or any unadjusted  
 22 account, or any claim pending or which may be made, or any  
 23 suit begun or which may be begun or continued, or any appeal  
 24 now pending on any account or claim or on any which may  
 25 be hereafter taken, or the payment of any such fee, account,  
 26 or compensation, or any question, claim, or right whatso-  
 27 ever, arising from any act or work done where the same  
 28 accrued, was done, performed, discharged, or arose from or  
 29 with respect to any matter connected with any election or  
 30 registration therefor, held prior to the passage of this act, and  
 31 all unrepresented accounts as well as all accounts which have  
 32 not been finally acted upon at the time of the passage of this  
 33 act and not in suit shall be adjusted and paid in accordance  
 34 with the provisions hereof.

1       SEC. 34. Whenever an election for a Representative or  
 2 Delegate in Congress is held, it shall be the duty of the State,  
 3 Territorial, or local election officers in each election district,  
 4 any State, Territorial, or municipal law to the contrary not-  
 5 withstanding, to label or attach to the front of the box in  
 6 which the ballots for such office are by law to be deposited,  
 7 such suitable inscription as shall clearly indicate that such  
 8 ballots are to be there deposited; and it shall be the duty of  
 9 such election officers and each of them, any State, Territorial,

10 or municipal law to the contrary notwithstanding, to identify  
 11 and point out to any voter who may inquire therefor the  
 12 proper box for the reception of ballots for a Representative or  
 13 Delegate in Congress. The box, provided, for the reception of  
 14 votes for a Representative or Delegate in Congress, shall at all  
 15 times on the day of election, any State, Territorial, or munic-  
 16 ipal law to the contrary notwithstanding, be kept upon a shelf,  
 17 table, or counter in plain sight of electors, easy of access to  
 18 them, and at such height only as will enable the election of-  
 19 ficers or the voter, as the State, Territorial, or local election  
 20 law may be, to easily and readily deposit the proper ballots  
 21 therein, and as will permit all election officers, National, State  
 22 or Territorial, and the electors, to see that the ballots of the  
 23 latter, when voting, are, in fact, placed therein; nor shall  
 24 any such box at any time during the day of election, any  
 25 State, Territorial, or municipal law to the contrary notwith-  
 26 standing, be shifted, changed or otherwise moved from the  
 27 place in which, under this act, it may properly be placed at  
 28 the opening of the polls, nor shall it be removed from the  
 29 room or from the place therein, which, under this act, it shall  
 30 during the hours provided for the reception of ballots have  
 31 occupied, at any time during the day or night of election un-  
 32 til all ballots cast for a Representative or Delegate in Con-  
 33 gress, in whatever box they may have been placed or found,  
 34 shall have been fully ascertained, tallied, counted, and can-



35 vassed, and the statements and certificates therefor have been  
36 made out, signed, and sealed as provided herein.

1 SEC. 35. Every person charged with any duty with  
2 regard to any election of member of Congress, whether ap-  
3 pointed by authority of the United States or of any State  
4 or Territory, who shall willfully and for the purpose of affect-  
5 ing such election, or the results thereof, or the ascertaining or  
6 declaration of the votes for any candidate at the same, fail to  
7 perform any of the duties required of him by law, or who shall  
8 purposely or willfully practice, either alone or in combination  
9 with any other person, any fraud, or who shall for such pur-  
10 pose make any false certificate, or who shall for such purpose  
11 place in any ballot-box, or among the ballots lawfully cast at  
12 such election, any ballot or pretended ballot not so lawfully  
13 cast, or remove from any ballot-box or from the ballots so  
14 lawfully cast any ballot which had been lawfully cast, shall  
15 be punishable by fine not exceeding five thousand dollars, or by  
16 imprisonment not exceeding five years, or both, at the discre-  
17 tion of the court.

1 SEC. 36. Any person who shall bribe, or offer to  
2 bribe, any voter at any election for member of Congress by  
3 the gift, offer, or promise of any money or other thing of  
4 value, in order to induce such voter to vote or refrain from  
5 voting for any person for such office, and any voter who shall  
6 accept any such bribe, offer, or promise, or who shall vote or

7 refrain from voting in consequence of such bribe, offer, or  
8 promise, and any person who shall bribe, or offer to bribe,  
9 any officer charged with any duty in regard to said election,  
10 or the registration of voters for the same, or the counting of  
11 the ballots cast at the same, or ascertaining or declaring the  
12 result thereof, by the gift, offer, or promise of any money or  
13 other thing of value, in order to induce such officer to do any  
14 unlawful or fraudulent act to affect such election or the ascer-  
15 tainment or declaration of the result thereof, or to refrain from  
16 doing any duty with which such officer may be by law  
17 charged, for the sake of affecting such election, ascertainment,  
18 or declaration, and any such officer who shall in consequence  
19 of such bribe, offer, or promise do any such unlawful or  
20 fraudulent act, or refrain from doing any such duty with  
21 which he may be so lawfully charged, shall be punished by  
22 fine not exceeding five thousand dollars, or by imprisonment  
23 not exceeding five years, or both, at the discretion of the court.

1 SEC. 37. Representatives or Delegates in Congress shall  
2 be chosen in the several States in the year eighteen hundred  
3 and ninety, and every second year thereafter, at the times and  
4 places and in the manner now provided by the laws of such  
5 States, respectively, except so far as the manner of such elec-  
6 tion is altered by this act, and except so far as the places for  
7 voting at such elections in the several States may hereafter be  
8 changed according to the laws thereof. The regulations as

9 to such elections in the several States are hereby so altered  
10 as to conform hereto.

11 This act shall not prevent any State from provid-  
12 ing by law, if it see fit, that ballots shall be provided  
13 at the public expense, containing the names of such candi-  
14 dates for the office of Representative or Delegate in Congress  
15 as may have been nominated by qualified voters in the Con-  
16 gressional District, and from providing suitable regulations for  
17 ascertaining such nomination and for screening from observa-  
18 tion the vote of each voter and keeping the same secret, save  
19 as herein provided.

20 Whenever under the law of any State any State or local  
21 election officer at any election at which a Representative or  
22 Delegate in Congress is to be voted for is permitted to accom-  
23 pany a voter into any booth or other place provided for the  
24 voter to prepare his ballot, it shall be the right and duty of  
25 one of the supervisors of election to accompany any such  
26 voter to such booth and to render him such assistance in the  
27 preparation of his ballot as the voter shall request of him.

1 SEC. 38. Section two, chapter fifty-two, acts of eighteen  
2 hundred and seventy-nine, is hereby amended by striking out  
3 all after the word "dollars" as far as the word "provided"  
4 and inserting so that it shall read as follows:

5 "That the per diem pay of each juror, grand or petit,  
6 in any court of the United States shall be two dollars, and

7 the last clause of the section appearing as section eight hun-  
8 dred of the Revised Statutes of the United States which re-  
9 fers to the State of Pennsylvania, and the sections which ap-  
10 pear as sections eight hundred and one and eight hundred and  
11 twenty-one are hereby re-enacted: *Provided*, That no citizen  
12 possessing all other qualifications which are or may be pre-  
13 scribed by law shall be disqualified for service as grand or  
14 petit juror in any court of the United States on account of  
15 race, color, or previous condition of servitude."

1 SEC. 39. The provisions of the following sections shall  
2 be considered as naming and constituting offenses against the  
3 laws of the United States when committed at any registra-  
4 tion or revision of registration of voters for, or when com-  
5 mitted at, any election at which a Representative or De legate  
6 in Congress of the United States is to be voted for, and such  
7 offenses shall be punishable in the courts of the United States  
8 as described in this act.

1 SEC. 40. If at any registration of voters for an election  
2 for Representative or Delegate in Congress, or if at any meet-  
3 ing of any board of inspectors of election, or if at any time  
4 any officer of registration at any meeting held for such pur-  
5 pose, or for a revision thereof or for adding to any registration  
6 the name of any person or for striking therefrom any  
7 name under and in pursuance of the laws of any State or  
8 Territory, any person shall falsely personate an elector or  
9 other person, and register, or attempt or offer to register in

10 the name of such elector or other person; or if any person  
 11 shall knowingly or fraudulently register, or offer or attempt  
 12 or make application to register, in or under the name of any  
 13 other person, or in or under any false, assumed, or fictitious  
 14 name, or in or under any name not his own; or shall know-  
 15 ingly or fraudulently register in two election districts or vot-  
 16 ing precincts; or having registered in one election district or  
 17 precinct, shall fraudulently attempt or offer or register in an-  
 18 other, or shall fraudulently register, or attempt, or offer to  
 19 register, in any election district or voting precinct, not having  
 20 a lawful right to register therein; or shall knowingly or will-  
 21 fully do any unlawful act to secure registration for himself  
 22 or any other person; or shall knowingly, willfully, or fraud-  
 23 ulently, by false personation or otherwise, or by any unlaw-  
 24 ful means, cause or procure, or attempt to cause or procure,  
 25 the name of any qualified voter in any election district or  
 26 voting precinct to be erased or stricken from any register of  
 27 the voters of such district or precinct, made in pursuance of  
 28 the laws of any State or Territory, or otherwise than is by  
 29 such laws provided; or by force, threat, menace, intimidat-  
 30 ion, bribery, reward, or offer or promise thereof, or other  
 31 unlawful means, prevent, hinder, or delay any person having  
 32 a lawful right to register or to be registered from duly exer-  
 33 cising such right; or who shall knowingly, willfully, or frau-  
 34 dently compel or induce, or attempt or offer to compel or induce,

35 by such means, or any unlawful means, any supervisor of elec-  
 36 tion, inspector of election, or other officer of registration, in any  
 37 election district or voting precinct, to register or admit to regis-  
 38 tration any person not lawfully entitled to registration in such  
 39 district or precinct, or to register any false, assumed, or ficti-  
 40 tious name, or any name of any person, except as provided in  
 41 such laws; or shall knowingly or willfully or fraudulently in-  
 42 terfere with, hinder, or delay any supervisor of election, in-  
 43 spector of election or other officer of registration in the dis-  
 44 charge of his duties, or counsel, advise, or induce, or attempt  
 45 to induce any such supervisor, inspector, or other officer to  
 46 refuse or neglect to comply with or to perform his duties, or  
 47 to violate any law prescribing or regulating the same, or shall  
 48 aid, counsel, procure, or advise any voter, person, supervisor  
 49 of election, inspector of election, or other officer of registra-  
 50 tion, to do any act forbidden by the laws of the United States  
 51 or of the State or Territory in which the act committed is for-  
 52 bidden, or by any of said laws constituted an offense, provid-  
 53 ing such act is not permitted by the laws of the United  
 54 States, or to omit to do any act by any of such laws directed  
 55 to be done, providing such act is not permitted by the laws of  
 56 the United States, every such person shall, upon conviction  
 57 thereof, be adjudged guilty of a felony, and shall be pun-  
 58 ished by imprisonment in a State prison for not less than one  
 59 nor more than five years.



1        SEC. 41. That if, at any election for a Representative or  
 2 Delegate in Congress, any person shall falsely personate any  
 3 elector or other person, and vote, or attempt or offer to vote,  
 4 in, under, or upon the name of such elector or other person,  
 5 or shall vote or attempt to vote in, under, or upon the name of  
 6 any other person, whether living or dead, or in, under, or upon  
 7 any false, assumed, or fictitious name, or in, under, or upon  
 8 any name not his own; or shall knowingly, willfully, or  
 9 fraudulently vote more than once for any candidate for the  
 10 same office, except as authorized by law, or shall so vote or  
 11 attempt or offer to vote in any election district or voting pre-  
 12 cinct without having a lawful right to vote therein, or shall  
 13 vote more than once, or vote in more than one election district  
 14 or voting precinct, or having once voted, shall vote or attempt  
 15 or offer to vote again; or shall knowingly, willfully, or fraud-  
 16 ulently do any unlawful act to secure a right, or an oppor-  
 17 tunity to vote for himself or for any other person, or shall by  
 18 force, threat, menace, intimidation, bribery, or reward, or  
 19 offer or promise thereof, or otherwise, unlawfully, either di-  
 20 rectly or indirectly, influence, or attempt to influence, any  
 21 elector in giving his vote, or prevent or hinder, or attempt to  
 22 prevent or hinder, any qualified voter from freely exercising the  
 23 right of suffrage, or by any such means induce, or attempt to  
 24 induce, any such voter to refuse to exercise any such right;  
 25 or shall by any such means, or otherwise, compel or induce, or

26 attempt to compel or induce, any supervisor of election, in-  
 27 spector of election, or other officer of election, in any election  
 28 district, to receive the vote of any person not legally qualified  
 29 or entitled to vote at the said election in such district or pre-  
 30 cinct, or shall knowingly, willfully, or fraudulently interfere  
 31 with, delay, or hinder, in any manner, any supervisor of elec-  
 32 tion, inspector of election, poll-clerk, or other officer of election,  
 33 in the discharge of his duties; or by any of such means or  
 34 other unlawful means knowingly, willfully, or fraudulently  
 35 counsel, advise, induce, or attempt to induce, any supervisor  
 36 of election, inspector of election, poll-clerk, or other officer  
 37 of election whose duty it is to ascertain, proclaim, announce,  
 38 or declare the result of any such election, or to give or make any  
 39 certificate, document, report, return, or other evidence in rela-  
 40 tion thereto, to refuse or neglect to comply with his duty, or  
 41 to violate any law regulating the same, or to receive the vote  
 42 of any person in any election district or voting precinct not en-  
 43 titled to vote therein, or to refuse to receive the vote of any  
 44 person entitled to vote therein; or shall aid, counsel, or advise,  
 45 procure, or assist any voter or person, whether an officer of  
 46 election or otherwise, to do any act unauthorized by law or by  
 47 law forbidden, or constituted an offense, or to omit to do any  
 48 act by law directed to be done, every such person shall, upon  
 49 conviction thereof, be adjudged guilty of a felony, and shall  
 50 be punished, for each and every such offense, by imprisonment  
 51 in a State prison for not less than one nor more than five years.

1        SEC. 42. If, at any election at which a Representative  
 2 or Delegate in Congress is to be voted for, any poll-clerk, or  
 3 any other officer of election, either national, State, Territorial,  
 4 or local, performing the duties of poll-clerk, shall willfully  
 5 keep a false poll-list, or shall knowingly insert in his poll-list  
 6 any false statement, or any name or statement, or any check,  
 7 letter, or mark, except such as are by the laws of the United  
 8 States or of the State or Territory provided, and are by the  
 9 laws of the United States not prohibited, he shall, upon con-  
 10 viction thereof, be adjudged guilty of a felony, and shall be  
 11 punished by imprisonment in a State prison for not less than  
 12 one nor more than five years.

1        SEC. 43. If, at any election at which a Representative  
 2 or Delegate in Congress is to be voted for, any inspector or  
 3 other officer of election shall willfully exclude any vote duly  
 4 tendered for a candidate for Representative or Delegate in Con-  
 5 gress, knowing that the person offering the same is lawfully  
 6 entitled to vote at such election, or shall willfully receive a  
 7 vote for any such candidate from any person who has been  
 8 duly challenged in relation to his right to vote at such elec-  
 9 tion, without exacting from such person such oath or other  
 10 proof of qualification as may be required by law, or shall will-  
 11 fully omit to challenge any person offering to vote whom he  
 12 knows or suspects not to be entitled to vote and who has not

13 been challenged by any other person, such inspector or other  
 14 officer of election shall, upon conviction thereof, be adjudged  
 15 guilty of a felony, and shall be punished by imprisonment in  
 16 a State prison for not more than two years.

1        SEC. 44. Every supervisor of election, inspector of elec-  
 2 tion, member of any board of canvassers, messenger, poll-  
 3 clerk, or other officer authorized to take part in or perform  
 4 any duty in relation to any canvass or official statement of the  
 5 votes cast at any election at which a Representative or Dele-  
 6 gate in Congress is to be voted for who shall willfully make  
 7 any false canvass of any votes cast for a Representative or  
 8 Delegate in Congress, or who shall make, sign, publish, or  
 9 deliver any false return of such votes, or any false certificate  
 10 or statement of the result of such election, knowing the same  
 11 to be false, or who shall willfully deface, destroy, or conceal  
 12 any statement or certificate intrusted to his care or custody,  
 13 shall, on conviction thereof, be adjudged guilty of a felony,  
 14 and shall be punished by imprisonment in a State prison not  
 15 less than two nor more than five years.

1        SEC. 45. If any person not authorized by law so to do  
 2 shall, at any election at which a Representative or Delegate  
 3 in Congress is to be voted for, knowingly and willfully put,  
 4 or cause to be put, any ballot or ballots for a Member or  
 5 Delegate in Congress, or other paper having a semblance  
 6 thereof, into any box used at such election for the reception

7 of such votes, or if any such inspector shall knowingly and  
 8 willfully cause or permit any ballots to be in such box at  
 9 the opening of the polls and before voting shall have com-  
 10 menced, or shall knowingly and willfully or fraudulently put  
 11 any ballot, or other paper having the semblance thereof, into  
 12 any such box at any such election, unless the same shall be  
 13 offered by an elector, and his name shall have been found  
 14 and checked upon the register, as provided by law, if such  
 15 register is required; or if any such inspector or other officer  
 16 or person shall fraudulently, during the canvass of such ballots,  
 17 in any manner change, substitute, or alter any ballot taken  
 18 from such box then being canvassed, or from any such box  
 19 which has not been canvassed, or shall remove any ballot  
 20 or semblance therefrom, or add any ballot, or semblance  
 21 thereof, to the ballots taken from such box then being can-  
 22 vassed or from any such box which has not been canvassed,  
 23 every such person shall, upon conviction thereof, be adjudged  
 24 guilty of felony, and shall be punished by imprisonment in a  
 25 State prison for not less than one nor more than five years.

1 SEC. 46. If any inspector of election, poll-clerk, or other  
 2 officer of registration, revision of registration, election, or  
 3 canvass, of whom any duty is required by any law of the  
 4 State or Territory in which he shall be serving at an election  
 5 at which a Representative or Delegate in Congress is to be  
 6 voted for, shall be guilty of any willful neglect of such duty

7 or of any corrupt or fraudulent conduct or practice in the ex-  
 8 ecution of the same, he shall, on conviction thereof, be adjudged  
 9 guilty of a felony, and shall be punished by imprisonment in  
 10 a State prison for not more than five years.

1 SEC. 47. Every inspector of election, poll clerk, or other  
 2 person or officer having the custody of any record, register  
 3 of votes, or copy thereof, oath, return of votes, certificates,  
 4 poll-list, or any paper, document, or evidence of any descrip-  
 5 tion relating to the election of a Representative or Delegate  
 6 in Congress, and which is directed by the laws of the State  
 7 or Territory in which he shall be serving to be made, filed, or  
 8 preserved, who is guilty of stealing, willfully destroying,  
 9 mutilating, defacing, falsifying, or fraudulently removing or  
 10 secreting the whole or any part thereof, or who shall fraudu-  
 11 lently make any entry, erasure, or alteration therein, except  
 12 as allowed and directed by law, or who permits any other  
 13 person so to do, shall, upon conviction thereof, be adjudged  
 14 guilty of a felony, and shall be punished for each and every  
 15 such offense by imprisonment in a State prison not exceeding  
 16 five years, and shall, in addition thereto, forfeit his office.

1 SEC. 48. Every person not an officer such as is men-  
 2 tioned in the last preceding section, who is guilty of any of  
 3 the acts specified in said section, or who advises, procures, or  
 4 abets the commission of the same, or any of them, shall,  
 5 upon conviction thereof, be adjudged guilty of a felony, and



6 for each and every such offense shall be punished by impris-  
7 onment in a State prison not exceeding five years.

1 SEC. 49. Any person who shall be convicted of willful  
2 and corrupt false swearing or affirming in taking any oath or  
3 affirmation prescribed by any law of the United States, or of  
4 the State or Territory in which he shall have been convicted,  
5 to be taken upon any examination as to his right to register  
6 or vote at any election at which a Representative or Delegate  
7 in Congress is to be voted for, or upon being challenged as  
8 unqualified upon offering to register or vote, shall be adjudged  
9 guilty of the felony of perjury, and shall, upon conviction, be  
10 punished with imprisonment in a State prison for not more  
11 than five years.

1 SEC. 50. Every person who shall, at any election at  
2 which a Representative or Delegate in Congress is to be voted  
3 for, willfully and corruptly instigate, advise, induce, or pro-  
4 cure any person to swear or affirm falsely, as aforesaid, or  
5 attempt or offer so to do, shall be adjudged guilty of subor-  
6 nation of perjury, and shall, upon conviction thereof, suffer  
7 the punishment directed by law in cases of willful and cor-  
8 rupt perjury.

1 SEC. 51. If any person shall fraudulently change or  
2 alter the ballot for Representative or Delegate in Congress of  
3 any elector, or substitute one such ballot for another, or fraud-  
4 ulently furnish any elector with a ballot for Representative or

5 Delegate in Congress containing more than the proper num-  
6 ber of names, or shall intentionally practice any fraud upon  
7 any elector, to induce him to deposit a ballot as his vote, and  
8 to have the same thrown out and not counted, or to have the  
9 same counted for a person or candidate other than the person  
10 or candidate for whom such elector intended to vote, or other-  
11 wise defraud him of his vote, every such person shall, on con-  
12 viction thereof, be adjudged guilty of a felony, and shall, if a  
13 supervisor of election, inspector of election, poll clerk, or  
14 other officer of election, be punished with imprisonment in a  
15 State prison not less than two nor more than seven years;  
16 and if not such a supervisor, inspector, poll clerk, or other  
17 officer of election, shall be punished by imprisonment in a  
18 State prison for not less than one nor more than five years.

1 SEC. 52. If any person shall willfully disobey any  
2 lawful command of a supervisor of election, given in the exe-  
3 cution of his duty at any election at which a Representative  
4 or Delegate in Congress is to be voted for, he shall, upon con-  
5 viction thereof, be adjudged guilty of a misdemeanor, and  
6 shall be punished by imprisonment in a county jail for not less  
7 than thirty days nor more than one year, or by a fine of not  
8 less than two hundred and fifty nor more than one thousand  
9 dollars, or by both such fine and imprisonment.

1 SEC. 53. If, at any registration of voters held prior  
2 to or for an election at which a Representative or Delegate in

3 Congress is to be voted for, or any revision thereof, or if on  
 4 any day of election at which such Representative or Dele-  
 5 gate is to be voted for, or if during the canvass of any votes  
 6 cast thereat, any person shall cause any breach of the peace,  
 7 or use any disorderly violence, or threats of violence, whereby  
 8 any such registration, revision, election, or canvass shall be  
 9 impeded or hindered, or whereby the lawful proceedings of  
 10 any supervisor of election, or challenger, or person designated  
 11 by any law to be present at the canvass of any ballots are  
 12 interfered with, every such person shall, upon conviction  
 13 thereof, be adjudged guilty of a misdemeanor, and shall be  
 14 punished by imprisonment in a penitentiary for not more than  
 15 three years, or by a fine of not less than one hundred nor  
 16 more than three thousand dollars, or by both.

1     SEC. 54. If any person shall, upon the day of any election  
 2 at which a Representative or Delegate in Congress is to be or  
 3 is being voted for, or before the canvass of all votes cast  
 4 is completed, steal or willfully break or destroy any ballot-  
 5 box used, or intended to be used, at such election, or shall  
 6 willfully or fraudulently conceal, secrete, or remove any such  
 7 box from the custody of the inspectors of election, or other  
 8 lawful custodians thereof, or shall alter, deface, injure, de-  
 9 stroy, conceal any ballot which has been deposited in any  
 10 ballot-box at such election, which has not been already counted  
 11 and canvassed, or any poll-list used, or intended to be used

12 at such election, or any report, return, certificate, or other  
 13 evidence by law required, or provided for, shall, on conviction  
 14 thereof, be adjudged guilty of a felony, and shall, for each and  
 15 every such offense, be punished by imprisonment in a State  
 16 prison for not less than two nor more than seven years.

1     SEC. 55. If in any election district, at any registration  
 2 of voters or revision thereof, or at any election hereafter  
 3 held where a Representative or Delegate in Congress is to  
 4 be voted for, any inspector of election, poll clerk, or other  
 5 officer of election, or any other person shall knowingly or  
 6 willfully admit any person to registration, or make any entry  
 7 upon any register of voters or poll-book, or receive any vote,  
 8 or proceed with the canvass of any ballots in whatever box  
 9 they may be or shall consent thereto, unless a majority of all of  
 10 the inspectors of election in said election district are present and  
 11 concur, he shall, upon conviction thereof, be adjudged guilty of  
 12 a misdemeanor, and shall be punished by imprisonment in the  
 13 county jail for not less than thirty nor more than sixty days, or  
 14 fined not less than one hundred nor more than one thousand dol-  
 15 lars, or by both such fine and imprisonment. If any inspector  
 16 of election in any election district shall, without urgent necessity,  
 17 absent himself from the place of registration or the polls in  
 18 said district upon any day of registration or election, whereby  
 19 less than a majority of all the inspectors in such election dis-  
 20 trict shall be present during the hours of registration, election,

21 or canvass of ballots, he shall, upon conviction, be adjudged  
22 guilty of a misdemeanor, and shall be punished by imprison-  
23 ment in a county jail for not less than sixty days nor more  
24 than six months, or shall be fined not less than two hundred  
25 nor more than one thousand dollars, or both.

1     SEC. 56. Upon any prosecution under this act for pro-  
2 curing, offering, or casting an illegal vote, the accused may  
3 give in evidence any fact tending to show that he honestly  
4 believed, upon good reason, that the vote complained of was  
5 a lawful one, and the jury may take such facts into considera-  
6 tion in determining whether the acts complained of were will-  
7 fully done or not.

1     SEC. 57. The doing of, or the attempting or offering to  
2 do, any act denounced in sections five thousand four hun-  
3 dred and twenty-four, five thousand four hundred and twenty-  
4 five, five thousand four hundred and twenty-six, five thousand  
5 four hundred and twenty-seven, and five thousand four hun-  
6 dred and twenty-eight of the Revised Statutes of the United  
7 States is hereby made a felony, and the punishment, upon  
8 conviction thereof, shall be imprisonment in a State prison at  
9 hard labor for not less than three nor more than ten years.